

**PATENT**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of:  
FAMODU ET AL.

CASE NO.: BB1191 US DIV

SERIAL NO.: UNKNOWN

GROUP ART UNIT: UNKNOWN

FILED: CONCURRENTLY HEREWITH

EXAMINER: UNKNOWN

FOR: PLANT AMINO ACYL-tRNA SYNTHETASE

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Before examination on the merits, please amend the above-referenced application as follows:

**IN THE CLAIMS**

Cancel claims 1-30.

Add the following new claims:

31. An isolated polynucleotide comprising:

(a) a nucleotide sequence encoding a polypeptide having the activity of cysteinyl-tRNA synthetase, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:10, SEQ ID NO:12, or SEQ ID NO:14 have at least 80% identity based on the Clustal alignment method, or

(b) the complement of the nucleotide sequence.

32. The polynucleotide of claim 31, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:10, SEQ ID NO:12, or SEQ ID NO:14 have at least 85% identity based on the Clustal alignment method.

33. The polynucleotide of claim 31, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:10, SEQ ID NO:12, or SEQ ID NO:14 have at least 90% identity based on the Clustal alignment method.

34. The polynucleotide of claim 31, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:10, SEQ ID NO:12, or SEQ ID NO:14 have at least 95% identity based on the Clustal alignment method.

35. The polynucleotide of claim 31, wherein the nucleotide sequence comprises the nucleotide sequence of SEQ ID NO:9, SEQ ID NO:11, or SEQ ID NO:13.

36. The polynucleotide of claim 31, wherein the polypeptide comprises the amino acid sequence of SEQ ID NO:10, SEQ ID NO:12, or SEQ ID NO:14.
37. A chimeric gene comprising the polynucleotide of claim 31 operably linked to a regulatory sequence.
38. An isolated polynucleotide containing 30 nucleotides, wherein the nucleotide sequence containing 30 nucleotides is comprised by the polynucleotide of claim 31.
39. A method for transforming a cell comprising transforming a cell with the polynucleotide of claim 31.
40. A cell comprising the chimeric gene of claim 37.
41. A method for producing a plant comprising transforming a plant cell with the polynucleotide of claim 31 and regenerating a plant from the transformed plant cell.
42. A plant comprising the chimeric gene of claim 37.
43. A seed comprising the chimeric gene of claim 37.

**REMARKS**

Claims 1-30 have been cancelled, and claims 31-43 have been added. Claims 31-43 are pending. The present application is a divisional application of U.S. application serial No. 09/352,990. The present claims correspond to Group III claims.

Support for the sequence identities of 80%, 85%, 90%, and 95% is found on page 6, 1<sup>st</sup> paragraph of the specification. Support for claim 38 is found on page 6, lines 25-28 of the specification. Support for claims 41-43 is found in Examples 7 and 8, pages 21-25 of the specification.

Please charge any necessary fee to Deposit Account 04-1928  
(E. I. du Pont de Nemours and Company).

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,



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